

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

Ebraich,

Plaintiff,

1:12-cv-443-CL

v.

ORDER

Knife River, Inc., et al,

Defendants.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation (#3) and the matter is now before me. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Plaintiff did not file objections, although the Clerk's copy of the Report and Recommendation - sent to plaintiff's address on file with the

Clerk - was returned as undeliverable (#6). I have reviewed the file of this case *de novo*. See 28 U.S.C. § 636(b)(1)(c); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). I conclude the R & R is correct.

I adopt the Report and Recommendation (#3). This matter is dismissed with prejudice. Additionally, I conclude the complaint is frivolous and revoke in forma pauperis status. See Hooker v. American Airlines, 302 F.3d 1091, 1091-92 (9th Cir. 2002).

IT IS SO ORDERED.

DATED this 11 day of May, 2012.

A handwritten signature in black ink, reading "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE